

ORDINANCE NO. 187234

An ordinance providing for the issuances of Proposition HHH General Obligation Bonds and of General Obligation Refunding Bonds, and adding new Sections 5.82.30 and 5.82.31 to Article 3.5 of Chapter 5 of Division 5 of the Los Angeles Administrative Code for the creation of the related special funds.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. That bonds of the City of Los Angeles designated as the City of Los Angeles General Obligation Bonds, Series 2021-A (Taxable) (Social Bonds), in the aggregate principal amount of not to exceed \$240 million, as approved by the City Council, be issued in accordance with: (i) Article 4.5 of Chapter 3 of Part 1 of Division 2 of Title 5 of the California Government Code (commencing with Section 53506), as amended; (ii) Chapter 11 of Division 6 of Title 1 of the California Government Code (commencing with Section 5900), as amended; (iii) Section 101 and Section 361 of the Charter of the City of Los Angeles, as amended and supplemented; (iv) Articles 4 and 5 of Chapter 1 of Division 11 of the Los Angeles Administrative Code, as amended and supplemented; (v) Article XIII A of the California Constitution, as amended; and (vi) the Proposition HHH Resolution of Necessity adopted by the Council on June 29, 2016, the Proposition HHH Ballot Resolution, adopted by the Council on June 29, 2016, the Proposition HHH Election Ordinance No. 184409, calling for a special election on November 8, 2016, and the affirmative vote of over two-thirds of all of the qualified voters voting on Proposition HHH at the November 8, 2016 election (Proposition HHH Authorization), for the purpose of providing housing and facilities projects described in the Proposition HHH Authorization.

Sec. 2. That bonds of the City of Los Angeles designated as the City of Los Angeles General Obligation Refunding Bonds, Series 2021-B (Tax-Exempt), in the aggregate principal amount of not to exceed \$70 million, as approved by the City Council, be issued in accordance with: (i) Article 4.5 of Chapter 3 of Part 1 of Division 2 of Title 5 of the California Government Code (commencing with Sections 53506), as amended; (ii) Articles 9 and 11 of Chapter 3 of Part 1 of Division 2 of Title 5 of the Government Code (commencing with Sections 53550 and 53580, respectively), as amended; (iii) Article XIII A of the California Constitution, as amended; (iv) Section 101 and Section 361 of the Charter of the City of Los Angeles, as amended and supplemented; (v) Articles 4 and 5 of Chapter 1 of Division 11 of the Los Angeles Administrative Code, as amended and supplemented; and (vi) the ordinances of the City of Los Angeles, for the purpose of refunding certain outstanding general obligation bonds of the City of Los Angeles.

Sec. 3. A new Section 5.82.30 is added to Article 3.5 of Chapter 5 of Division 5 of the Los Angeles Administrative Code to read as follows:

Sec. 5.82.30. General Obligation Bonds, Series 2021-A (Taxable) Special Funds.

(A) There is hereby established in the Treasury of the City of Los Angeles (City) for the purpose of receiving money from the sale of the General Obligation Bonds, Series 2021-A (Taxable) (Social Bonds) (Series 2021-A (Taxable) Bonds), the “General Obligation Bonds, Series 2021-A (Taxable) Prop HHH Construction Fund” (Series 2021-A Construction Fund). No expenditures may be made from the Series 2021-A Construction Fund except to provide housing and facilities projects, as further described in Proposition HHH and as authorized by over two-thirds of all of the qualified voters at the special election on November 8, 2016 (Prop HHH Projects). When all Prop HHH Projects related to the Series 2021-A (Taxable) Bonds are completed, any money remaining in the Series 2021-A Construction Fund shall be deposited into the Series 2021-A Debt Service Fund, subject to any conditions in the City’s resolution authorizing the issuance of the Series 2021-A (Taxable) Bonds. All the earnings of the Series 2021-A Construction Fund shall be retained therein until expended for the contemplated purposes herein or until the Treasurer directs that some or all of the earnings be deposited into the Series 2021-A Debt Service Fund, subject to any conditions in the City’s resolution authorizing the issuance of the Series 2021-A (Taxable) Bonds.

(B) There is hereby established in the Treasury of the City a special fund named the “General Obligation Bonds, Series 2021-A (Taxable) Debt Service Fund” (Series 2021-A Debt Service Fund), for the purposes of payment of principal, premium, if any, and interest on the Series 2021-A (Taxable) Bonds. The accrued interest, if any, received by the City from the sale of the Series 2021-A (Taxable) Bonds and all money from the collection of property taxes for the Series 2021-A (Taxable) Bonds shall be deposited into the Series 2021-A Debt Service Fund. The Series 2021-A Debt Service Fund shall retain all of its earnings until they are expended for debt service. When there are no longer any Series 2021-A (Taxable) Bonds outstanding, any money in the Series 2021-A Debt Service Fund shall be deposited into the City’s General Fund, subject to any conditions in the City’s resolution authorizing the issuance of the Series 2021-A (Taxable) Bonds.

(C) Pursuant to City Charter Section 344, money in the special funds described herein shall not be subject to reversion to the Reserve Fund of the City.

Sec. 4. A new Section 5.82.31 is added to Article 3.5 of Chapter 5 of Division 5 of the Los Angeles Administrative Code to read as follows:

Sec. 5.82.31. General Obligation Refunding Bonds, Series 2021-B (Tax-Exempt) Special Funds.

(A) There is hereby established in the Treasury of the City of Los Angeles (City) a special fund named the “General Obligation Refunding Bonds, Series 2021-B (Tax-Exempt) Debt Service Fund” (Series 2021-B Debt Service Fund) for the purposes of payment of principal, premium, if any, and interest on the General Obligation

Refunding Bonds, Series 2021-B (Tax-Exempt) (Refunding Series 2021-B (Tax-Exempt) Bonds). The accrued interest, if any, received by the City from the sale of Refunding Series 2021-B (Tax-Exempt) Bonds and all money from the collection of property taxes for the Refunding Series 2021-B (Tax-Exempt) Bonds shall be deposited into the Series 2021-B Debt Service Fund. The Series 2021-B Debt Service Fund shall retain all of its earnings until they are expended for debt service or until the Treasurer directs that some or all of the earnings be deposited in the Series 2021-B Excess Earnings Fund in accordance with the City's Tax Certificate for the Refunding Series 2021-B (Tax-Exempt) Bonds. When there are no longer any Refunding Series 2021-B (Tax-Exempt) Bonds outstanding, any money in the Series 2021-B Debt Service Fund shall be deposited into the City's General Fund, subject to any conditions in the City's Tax Certificate for the Refunding Series 2021-B (Tax-Exempt) Bonds and any conditions in the City's resolution authorizing the issuance of the Refunding Series 2021-B (Tax-Exempt) Bonds.

(B) There is hereby established in the Treasury of the City a special fund named the "General Obligation Refunding Bonds, Series 2021-B (Tax-Exempt) Excess Earnings Fund" (Series 2021-B Excess Earnings Fund) for the purpose of holding money that the Treasurer finds to be earnings in excess of the yield on the Refunding Series 2021-B (Tax-Exempt) Bonds. The Treasurer shall deposit money from the Series 2021-B Debt Service Fund, in accordance with the City's Tax Certificate for the Refunding Series 2021-B (Tax-Exempt) Bonds, to the Series 2021-B Excess Earnings Fund. Money in the Series 2021-B Excess Earnings Fund shall be used only for payments to the United States or for deposit into other funds or accounts pertaining to the Refunding Series 2021-B (Tax-Exempt) Bonds, subject to any conditions in the City's Tax Certificate for the Refunding Series 2021-B (Tax-Exempt) Bonds.

(C) Pursuant to City Charter Section 344, money in the special funds shall not be subject to reversion to the Reserve Fund of the City.

Sec. 5. Pursuant to City Charter Section 252(k), this ordinance shall take effect upon its publication.

Sec. 6. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By  _____
GERALD KIM
Deputy City Attorney

Date 9-17-21

21-0883

File No. _____

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The Clerk of the City of Los Angeles hereby certifies that the foregoing ordinance was passed by the Council of the City of Los Angeles.

CITY CLERK

MAYOR





Ordinance Passed October 5, 2021

Approved 10/15/2021

Published Date: 10/22/21
Ordinance Effective Date: 10/22/21